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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/186,247	11/04/1998	MARTIN JAMES BRIGHT	YO998-331	1563

7590 01/25/2006

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EXAMINER

SHERALI, ISHRAT I

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/186,247

Applicant(s)

BRIGHT ET AL.

Examiner

Sherali Ishrat

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-90 is/are pending in the application.
- 4a) Of the above claim(s) 12-14, 26-45, 50-54, 62-64 and 67-83 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 15-25, 46-49, 55-61, 65, 66 and 84-90 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Response to Amendment/Arguments

Applicant arguments (paper dated 5/09/2005) are fully considered however they are not persuasive with respect to art rejection. See the remarks section for detail discussion.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 9, 15, 18-19, 21-22 46-49, 59-61, 65-66 and 85-90 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (US 6,256349).

Regarding claims 1, 3, 9, 15, 18-19, 21-22 46-49, 59-61, 65-66 and 85-90, rejection is maintained provided in the previous office action (paper dated 6/30/2005).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2621

5. Claims 2, 4-8, 10-11, 16-17, 20, 23-25, 55-58 and 84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 6,256,349) in view of Cheung et al. (US 6,178, 205).

Regarding claims 2, 4-8, 10-11, 16-17, 20, 23-25, 55-58 and 84, rejection is maintained provided in the previous office action (paper dated 6/30/2005).

Remarks

6. In the applicant's amendment/argument filed on 09/30/2005, applicant argued the following:

The high precision numbers referred to in Suzuki are original input as integers with greater than 8 bits of precision (col. 16, lines 15-21). The high precision numbers in our invention and claims 1, 3, 9, 15, 18-19, 21-22, 46-49, 59-61, 65-66 and 84-90, means greater than original input precision fed to the forward transform on second iteration.

Claims language recite performing inverse transform data to the real domain forming high precision number. In Figure 2 element 84, col.3 line 1 thru col. 4 line 14 Suzuki shows performing inverse transform data to the real domain forming high precision number. Claims language do not recite "the high precision numbers in our invention means greater than original input precision fed to the forward transform on second iteration". Therefore claim language does support the arguments.

Art Unit: 2621

In claims 1, 3, 9, 15, 18-19, 21-22, 46-49, 59-61, 65-66 and 84-90, applicants are manipulating and re forward transforming data of greater precision.

Claims language do not recite manipulating and re forward transforming data of greater precision. Unfortunately claims are void of such limitation to support the Applicant' argument.

Our decoder uses an encoder that accept higher precision data and gets exactly the same compressed data.

Claims language do not recite decoder uses an encoder that accept higher precision data and gets exactly the same compressed data. Furthermore Suzuki also uses an encoder that accept higher precision data and gets exactly the same compressed data as shown in In Figure 2 element 84, col.3 line 1thru col. 4 line 14.

Conclusion

7. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2621


the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Communication

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherali Ishrat whose telephone number is 571-272-7398. The examiner can normally be reached on 8:00 AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 571-272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ishrat Sherali



JOSEPH MANCUSO
SUPERVISORY PATENT EXAMINER

January 15, 2006